

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

NATHAN THIGPEN, #213453,	)	
	)	
Plaintiff,	)	
	)	
	)	
v.	)	CASE NO. 2:20-CV-719-WKW
	)	[WO]
KAY IVEY, Governor of Alabama,	)	
<i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

Before the court is the Recommendation of the Magistrate Judge that the court dismiss without prejudice Plaintiff's complaint against Kay Ivey, Governor of Alabama, and Steve Marshall, Attorney General of Alabama. (Doc. # 5.) Plaintiff has filed objections. (Doc. # 8.) To begin, in his objections, Plaintiff concedes that his complaint should be dismissed as to Defendant Marshall. (Doc. # 8, at 1.) Moreover, based upon an independent and *de novo* review of those portions of the Recommendation to which objection is made, 28 U.S.C. § 636(b), the court finds that the Recommendation adequately addresses and properly rejects the underpinnings of Plaintiff's objections without need for further elaboration and that the objections lack merit. Accordingly, it is ORDERED as follows:

- (1) Plaintiff's objections (Doc. # 8) are OVERRULED;

(2) The Recommendation (Doc. # 5) is ADOPTED;

(3) Plaintiff's complaint against Defendants Ivey and Marshall is DISMISSED without prejudice prior to service of process under 28 U.S.C. § 1915(b)(1); and

(4) This action with respect to the remaining Defendants is referred back to the Magistrate Judge for further proceedings.

DONE this 4th day of November, 2020.

/s/ W. Keith Watkins

UNITED STATES DISTRICT JUDGE